

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to:

Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN) (and member case
Burlingame v. Bin Laden, et al., 02-cv-7230 (GBD)(SN))
Ashton, et al. v. Kingdom of Saudi Arabia, 17-cv-02003 (GBN)(SN)
Dickey v. Republic of Iran, et al., 18-CV-11417 (UA)

**DECLARATION OF JOHN F. SCHUTTY IN SUPPORT OF MOTION
FOR ENTRY OF SUPPLEMENTAL, PARTIAL FINAL JUDGMENTS
AGAINST IRAN ON BEHALF OF CERTAIN *BURLINGAME* PLAINTIFFS**

JOHN F. SCHUTTY, ESQ., hereby states under penalty of perjury that:

1. I am an attorney representing a *Burlingame* subset of *Ashton* Plaintiffs in the above-captioned litigation.
2. I submit this Declaration in support of the present motion for the entry of supplementary, partial final judgments against the Islamic Republic of Iran (“Iran”) on behalf of various Estates of decedents described below, all of whom perished at the World Trade Center as a result of the terrorist acts perpetrated on September 11, 2001.
3. This Court has already issued Order granting the Estates described below default judgments that include awards for solatium damages and economic loss damages. See Order dated December 17, 2019, a copy of which is annexed hereto as Exhibit A.
4. These Estates now submit a request that an additional award be made to these Estates for the conscious pain and suffering of their decedents prior to their deaths because this Court has previously determined that each Estate of a 9/11 decedent killed on September 11, 2001 receive an award of \$2 million for this item.

5. In support of this application, and for the convenience of this Court, I am separately filing a “Proposed Order for the Entry of Supplementary, Partial Final Judgments Against Iran” on behalf of the following Estates (described more fully in a prior filing in this litigation – ECF#5367):

- a. The Estate of Joseph D. Dickey;
- b. The Estate of Robert D. Eaton;
- c. The Estate of James J. Kelly;
- d. The Estate of Timothy M. O'Brien;
- e. The Estate of Michael H. Seaman;
- f. The Estate of Robert F. Sliwak; and
- g. The Estate of John Wallice, Jr..

6. Accordingly, simultaneously filed herewith is a “[Proposed] Order for the Entry of Supplementary Partial Final Judgments Against Iran” conforming with the Court's previous orders. This Proposed Order contains economic loss figures, *solatium* damages and conscious pain and suffering awards reflecting the amounts previously awarded to relatives of those killed on September 11, 2001.

7. Accordingly, I respectfully request that this Court grant the Proposed Order submitted simultaneously herewith.

Dated: December 23, 2019
New York, New York

LAW OFFICE OF JOHN F. SCHUTTY, P.C.

By: /s/ John F. Schutty

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